

EXHIBIT B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
William J. Jones et al

Customer Number: 41230

Application No.: 09/967,232

Confirmation No.: 1787

Filed: September 28, 2001

Art Unit: 3653

For: SYSTEM AND METHOD FOR PROCESSING
CURRENCY BILLS AND SUBSTITUTE
CURRENCY MEDIA IN
A SINGLE DEVICE

Examiner: J. A. Shapiro

**AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION
DATED DECEMBER 18, 2008**

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

This is in response to the Final Office Action mailed on December 18, 2008. This response is being timely filed within **two** months from the date of mailing of the Final Office Action, *i.e.*, by February 18, 2009. Thus, the shortened statutory period for reply will now depend on the mailing date of the subsequent Advisory Action.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 17 of this paper.

AMENDMENTS TO THE CLAIMS

This Listing of Claims replaces all prior versions, and listings, of claims in the present application.

1. (Currently Amended) A funds processing system including at least one funds processing machine in which a user inputs currency bills and substitute funds, the at least one funds processing machine comprising:

- an input receptacle configured to receive a stack of a mixed combination of currency bills and substitute funds;
- a processing module coupled to the input receptacle and configured to receive the currency bills and substitute funds from the stack in the input receptacle and to process the currency bills and substitute funds, the processing module being configured to distinguish currency bills from substitute funds and valid substitute funds from invalid substitute funds; and
- a return receptacle coupled to the processing module and configured to receive ~~return~~ the processed substitute funds which are returned to the operator of the funds processing machine.

- 2. (Original) The system of claim 1, wherein the substitute funds are casino script.
- 3. (Original) The system of claim 1, wherein the substitute funds are paper tokens.
- 4. (Original) The system of claim 1, wherein the substitute funds are bar coded tickets.
- 5. (Previously Presented) The system of claim 1, wherein the processing module is configured to scan and count the currency bills and substitute funds at a high rate of speed.
- 6. (Original) The system of claim 5, wherein the high rate of speed is at least 350 documents per minute.

7. (Withdrawn) The system of claim 1 further comprising:
a host system communicatively coupled to the at least one funds processing machine; and
a casino gaming network communicatively coupled to the at least one funds processing machine and to the host system.

8-10. (Previously Cancelled)

11. (Previously Presented) A system for processing both currency bills and substitute currency media, the system including a document processing apparatus, the apparatus comprising:
an input receptacle configured to receive a stack of a mixed combination of currency bills and substitute currency media;
at least one output receptacle configured to receive currency bills and substitute currency media after the currency bills and substitute currency media have been evaluated;
a transport mechanism configured to transport the currency bills and substitute currency media, one at a time, from the stack in the input receptacle to the at least one output receptacle along a transport path;
an evaluation unit comprising at least one currency detector disposed along the transport path between the input receptacle and the output receptacle, the at least one currency detector being capable of evaluating currency bills, and a first media detector disposed along the transport path between the input receptacle and the output receptacle, the first media detector being capable of evaluating substitute currency media, the evaluating unit being configured to distinguish currency bills from substitute currency media and to distinguish valid substitute currency media from invalid substitute currency media; and
a controller coupled to the evaluation unit, the controller being configured to control the operation of the transport mechanism and the operation of the evaluation unit.

12. (Original) The apparatus of claim 11 further comprising a communications port electrically coupled to the controller.

13. (Withdrawn) The system of claim 12 further comprising a coin sorting apparatus communicatively coupled to the communications port of the document processing apparatus, said coin sorting apparatus sorting and counting a plurality of coins into one or more coin hoppers, said coin sorting apparatus including communications means for communicating information associated with said counting of said plurality of coins.

14. (Withdrawn) The apparatus of claim 11 wherein the controller causes the transport mechanism to halt in response to the detection of a particular currency bill or substitute currency medium that meets or fails to meet one or more criteria, wherein the halting causes the particular currency bill or substitute currency medium to be located at a predetermined position.

15. (Original) The apparatus of claim 11 wherein the controller flags a currency bill or substitute currency medium meeting or failing to meet one or more criteria, the currency bill or substitute currency medium meeting or failing to meet one or more criteria being termed a flagged document, the apparatus further comprising a routing interface comprising a data retrieval device, the data retrieval device receiving information from a user of the apparatus specifying a set of one or more output receptacles to which flagged documents are to be directed.

16. (Withdrawn) The apparatus of claim 15 further comprising a control unit coupled to the controller, the control unit including denomination keys, each of the denomination keys being associated with a different amount of currency, the selection of one of the denomination keys causing the associated amount of currency to be added to a running total amount of currency processed by the device.

17. (Previously Presented) The apparatus of claim 11 further comprising a control unit coupled to the controller, the control unit being configured to receive information from a user of the apparatus and to display information to a user of the apparatus.

18. (Previously Presented) The apparatus of claim 17, wherein the information displayed to a user includes characteristic information detected by the first media detector from a substitute currency medium.
19. (Original) The apparatus of claim 18, wherein the characteristic information includes the value associated with a substitute currency medium.
20. (Previously Presented) The apparatus of claim 18, wherein the substitute currency media are barcoded tickets having a barcode disposed thereon, each barcoded ticket having a ticket number, the displayed characteristic information including the ticket number of the barcoded ticket detected by the first media detector.
21. (Withdrawn) The apparatus of claim 17 wherein the control unit includes a touch screen.
22. (Original) The apparatus of claim 17 wherein the control unit includes a video display.
23. (Original) The apparatus of claim 11 wherein the evaluation unit evaluates the currency bills and substitute currency media at a rate of at least about 1000 documents per minute.
24. (Original) The apparatus of claim 11 wherein the evaluation unit evaluates the currency bills and substitute currency media at a rate of at least about 1500 documents per minute.
25. (Previously Presented) The apparatus of claim 11 further comprising a document facing mechanism coupled to said evaluation unit, said document facing mechanism being configured to rotate the orientation of the substitute currency media in one direction.
26. (Previously Presented) The apparatus of claim 11 further comprising a second media detector disposed along the transport path and proximate the at least one currency detector, wherein the first media detector is configured to detect at least one characteristic of a first type of substitute

currency media and the second media detector is configured to detect at least one characteristic of a second type of substitute currency media, the first type of substitute currency media being different from the second type of substitute currency media.

27. (Previously Presented) The apparatus of claim 26, wherein the first type of substitute currency media includes a barcode encoded according to a first barcode symbology and wherein the first media detector is configured to read a barcode encoded according to the first barcode symbology.

28. (Previously Presented) The apparatus of claim 27, wherein the second type of substitute currency media includes a barcode encoded according to a second barcode symbology and wherein the second media detector is configured to read a barcode encoded according to the second barcode symbology.

29. (Original) The apparatus of claim 11 further comprising a second media detector capable of evaluating substitute currency media, the first media detector and the second media detector being disposed on opposite sides of the transport path so as to be disposed adjacent to first and second opposing surfaces of the currency bills or substitute currency media passing along the transport path.

30. (Withdrawn) The apparatus of claim 11 wherein the at least one output receptacle is exactly one output receptacle.

31. (Withdrawn) The apparatus of claim 11 wherein the at least one output receptacle is exactly two output receptacles.

32. (Withdrawn) The apparatus of claim 11 wherein the at least one output receptacle is at least eight output receptacles.

33. (Original) The apparatus of claim 11, wherein the media detector includes a barcode reader.

34. (Withdrawn) The apparatus of claim 33 further comprising memory means for storing information associated with at least one barcode identified by the barcode reader.

35. (Original) The apparatus of claim 33 further comprising a mirror proximate the barcode reader, the mirror being positioned to deflect a light beam outputted from the barcode reader onto the surface of a document being transported along the transport path.

36. (Previously Presented) The apparatus of claim 33, wherein the substitute currency media have a barcode pattern disposed on at least one surface thereof, and wherein the controller is configured to convert an electrical signal generated by the barcode reader into a set of characters, the electrical signal being generated in response to the scanning of a valid barcode pattern.

37. (Withdrawn –Previously Presented) The apparatus of claim 36 further comprising:
a memory coupled to the controller, the memory being configured to store at least a first set of characters provided by the controller; and
a communications port coupled to the controller, the communications port being configured to transmit the at least first set of characters.

38. (Previously Presented) The apparatus of claim 11 wherein the currency detector is configured to detect at least one characteristic of a currency bill.

39. (Original) The apparatus of claim 38, wherein the at least one characteristic is one of size, thickness, color, magnetism, reflectivity, absorbability, transmissivity, electrical conductivity, and serial number.

40. (Original) The apparatus of claim 38, wherein the at least one detection means is an optical scan head.

41. (Withdrawn) The apparatus of claim 38, wherein the at least one detection means is a magnetic sensor.
42. (Withdrawn) The apparatus of claim 38, wherein the at least one detection means is a size detection sensor.
43. (Withdrawn) The apparatus of claim 38, wherein the at least one detection means is a density sensor.
44. (Withdrawn) The apparatus of claim 38, wherein the at least one detection means is a thread sensor.
45. (Withdrawn) The apparatus of claim 38, wherein the at least one detection means is an infrared sensor.
46. (Withdrawn) The apparatus of claim 38, wherein the at least one detection means is an ultraviolet scan head.
47. (Withdrawn) The apparatus of claim 38, wherein the at least one detection means is a fluorescent light scan head.
48. (Withdrawn) The apparatus of claim 38, wherein the at least one detection means is a full image scanner.
49. (Previously Presented) The apparatus of claim 33, wherein the substitute currency media are barcoded media having a barcode on at least one surface thereof.
50. (Original) The apparatus of claim 49, wherein the barcode is a linear barcode.

51. (Original) The apparatus of claim 49, wherein the barcoded media are casino script.
52. (Original) The apparatus of claim 49, wherein the barcoded media are casino cashout tickets.
53. (Original) The apparatus of claim 49, wherein the barcoded media are retailer coupons.
54. (Original) The apparatus of claim 49, wherein the barcoded media are gift certificates.
55. (Original) The apparatus of claim 49, wherein the barcoded media have substantially the same dimensions as U.S. currency bills.
56. (Previously Presented) A system adapted to rapidly count and evaluate currency bills and barcoded media, the barcoded media having a barcode disposed on at least one surface thereof, the system comprising:
- an input receptacle configured to receive a stack of documents, the documents including a mixed combination of currency bills and barcoded media;
 - at least one output receptacle configured to receive at least a portion of the stack of documents after the documents have been evaluated;
 - a transport mechanism configured to transport the documents, one at a time, from the stack in the input receptacle to the at least one output receptacle along a transport path;
 - an evaluation unit including a first sensor disposed along the transport path between the input receptacle and the output receptacle, the first sensor being configured to detect at least one characteristic of a currency bill, and a first barcode reader disposed along the transport path between the input receptacle and the output receptacle, the barcode reader being configured to scan a barcode; and
 - a controller coupled to the evaluation unit, the controller being configured to control the operation of the transport mechanism and the operation of the evaluation unit.

57. (Withdrawn – Previously Presented) The system of claim 56, wherein the first barcode reader is configured to scan at least 500 barcodes per minute.

58. (Withdrawn – Previously Presented) The system of claim 56, wherein the first barcode reader is configured to scan at least 1000 barcodes per minute.

59. (Previously Presented) The system of claim 56, wherein the first barcode reader is configured to output an electrical signal representing a barcode symbol, the controller being configured to convert the electrical signal into a barcode number.

60. (Withdrawn – Previously Presented) The system of claim 59 further comprising memory coupled to the controller, the memory being configured to store the barcode number.

61. (Withdrawn – Previously Presented) The system of claim 59 further comprising a communications port coupled to the controller, the communications port being configured to communicatively link the controller to a computer network.

62. (Withdrawn) The system of claim 61, wherein the computer network is a casino gaming machine network.

63. (Withdrawn) The system of claim 61, wherein the computer network is a retailer network.

64. (Withdrawn – Previously Presented) The system of claim 62, wherein the controller is configured to retrieve a monetary amount associated with the barcode number from the casino gaming machine network.

65. (Previously Presented) The system of claim 56 further comprising a control unit coupled to the controller, the control unit being configured to display the number of barcoded media processed by the apparatus.

66. (Withdrawn) The system of claim 65, wherein the control unit is a touch panel display.
67. (Withdrawn) The system of claim 65, wherein said control unit is a touch/video display.
68. (Previously Presented) The system of claim 59 further comprising a control unit coupled to the controller, the control unit being configured to display the barcode number.
69. (Withdrawn – Previously Presented) The system of claim 64, wherein the controller is configured to add the monetary amount associated with the barcode number to a running total.
70. (Withdrawn) The system of claim 69, wherein the running total includes the monetary value of at least one currency bill evaluated by the evaluation unit.
71. (Withdrawn) The system of claim 56 further comprising a second barcode reader coupled to the controller, the first barcode reader and the second barcode reader being disposed on opposite sides of the transport path.
72. (Withdrawn – Previously Presented) The system of claim 56 further comprising a printer coupled to the controller, the controller being configured to generate a report, the report including the total amount of authentic currency bills processed from the stack of documents and the total number of substitute currency media processed from the stack of documents, the printer being configured to print at least a portion of the report.
73. (Withdrawn – Previously Presented) The system of claim 56 further comprising a printer coupled to the controller, the printer being configured to dispense a barcoded ticket to a user of the device.
74. (Withdrawn) The system of claim 73, wherein the barcoded ticket includes a barcode associated with the total amount of currency bills and substitute currency media processed by the device.

75. (Withdrawn) The system of claim 56 wherein the at least one output receptacle is exactly one output receptacle.

76. (Withdrawn) The system of claim 56 wherein the at least one output receptacle is exactly two output receptacles.

77. (Withdrawn) The system of claim 56 wherein the at least one output receptacle is at least eight output receptacles.

78. (Withdrawn) The system of claim 56, wherein the barcode reader has a height of about 3 inches, a width of about 2.13 inches, and a depth of about 1.63 inches.

79. (Previously Presented) A document processing apparatus for processing a stack of currency bills and barcoded media, comprising:

- an input receptacle onfigured to receive a stack of documents including a mixed combination of currency bills of mixed denominations and barcoded media;

- a plurality of output receptacles each configured to receive at least a portion of the stack of documents;

- a transport mechanism configured to transport the currency bills and barcoded media, one at a time, from the stack in the input receptacle to one of the plurality of output receptacles;

- an evaluation unit disposed along the transport path between the input receptacle and the plurality of output receptacles, the evaluation unit comprising at least one currency sensor and a barcode reader positioned adjacent the transport path, the at least one currency sensor being configured to obtain denomination characteristic information of a first currency bill, the barcode reader being configured to scan for a barcode on a document from the stack of documents passing along the transport path, a document on which the barcode reader detects a barcode being termed a valid barcoded

- medium, a document on which the barcode reader does not detect a barcode being termed an invalid barcoded medium;
- a controller coupled to the evaluation unit, the controller being programmable for directing currency bills having a first denomination to a specified first output receptacle of the plurality of output receptacles, and for directing a barcoded media having a valid barcode disposed thereon to a specified second output receptacle of the plurality of output receptacles; and
- a memory electrically coupled to the controller, the memory being configured to store the denominations of the currency bills and the characters associated with barcodes on barcoded media.

80. (Previously Presented) The apparatus of claim 79, wherein the at least one currency sensor is further configured to obtain authenticating characteristic information of a currency bill, the controller being configured to compare the authenticating characteristic information with master authenticating information stored in a memory, the controller being further configured to compare the denomination characteristic information with master denomination information stored in a memory, wherein currency bills whose authenticating characteristic information satisfies a predetermined relationship with the master authenticating information are termed authentic bills, currency bills whose authenticating characteristic information does not satisfy a predetermined relationship with the master authenticating information are termed suspect bills, and currency bills whose denomination characteristic information does not satisfy a predetermined relationship with the master denomination characteristic information are termed no call bills.

81. (Withdrawn – Previously Presented) The apparatus of claim 80, wherein the controller is configured to direct no call bills to a specified third output receptacle of the plurality of output receptacles.

82. (Withdrawn – Previously Presented) The apparatus of claim 80, wherein the controller is configured to direct suspect bills to a specified third output receptacle of the plurality of output receptacles.

83. (Withdrawn – Previously Presented) The apparatus of claim 80, wherein the controller is configured to direct no call bills to a specified third output receptacle of the plurality of output receptacles and to direct suspect bills to a specified fourth output receptacle of the plurality of output receptacles.

84. (Withdrawn – Previously Presented) The apparatus of claim 80, wherein the controller is configured to direct no call bills and suspect bills to a specified third output receptacle.

85. (Withdrawn – Previously Presented) The apparatus of claim 80, wherein the controller is configured to direct invalid barcoded media to a specified third output receptacle.

86. (Withdrawn – Previously Presented) The apparatus of claim 80, wherein the controller is configured to direct invalid barcoded media to the specified second output receptacle.

87. (Previously Presented) A document processing apparatus adapted to process currency bills and substitute currency media, the apparatus comprising:

- an input receptacle configured to receive a stack of documents including a mixed combination of currency bills and substitute currency media, the substitute currency media being redeemable documents;

- at least one output receptacle configured to receive at least a portion of the documents after the portion of the documents have been evaluated;

- a transport mechanism configured to transport the documents, one at a time, from the stack in the input receptacle to the at least one output receptacle along a transport path;

- an evaluation unit comprising a first scanner disposed along the transport path between the input receptacle and the output receptacle, the first scanner being capable of scanning for at least one characteristic associated with a currency bill, the evaluation unit further comprising a second scanner capable of scanning for at least one characteristic associated with a substitute currency medium, the evaluating unit being configured to distinguish currency bills from substitute currency media and to

- distinguish valid substitute currency media from invalid substitute currency media;
and
a controller coupled to the evaluation unit, the controller being configured to control the operation of the transport mechanism and the operation of the evaluation unit.
88. (Withdrawn – Previously Presented) A document processing apparatus for processing both currency bills and substitute currency media, the apparatus comprising:
an input receptacle for receiving currency bills and substitute currency media;
a plurality of output receptacles for receiving currency bills and substitute currency media after the currency bills and substitute currency media have been evaluated;
a transport mechanism for transporting the currency bills and substitute currency media, one at a time, from the input receptacle to one of the plurality of output receptacles along a transport path;
an evaluation unit comprising a scanhead disposed along the transport path between the input receptacle and the output receptacle, the scanhead comprising a sensor for evaluating the currency bills and a barcode reader for evaluating the substitute currency media;
a controller coupled to the evaluation unit, the controller controlling the operation of the transport mechanism and the operation of the evaluation unit; and
an interface coupled to the controller, the interface being configured to receive instructions from an operator of the apparatus specifying one or more of the plurality of output receptacles to which currency bills and substitute currency media are to be directed.
89. (Previously Presented) A document processing apparatus for processing both currency bills and redeemable documents, the apparatus comprising:
an input receptacle for receiving a stack of a mixed combination of currency bills and redeemable documents;
a plurality of output receptacles for receiving currency bills and redeemable documents after the currency bills and the redeemable documents have been evaluated;

- a transport mechanism for transporting the currency bills and redeemable documents, one at a time, from the stack in the input receptacle to selected ones of the plurality of output receptacles along a transport path;
- an evaluation unit comprising a detector disposed along the transport path between the input receptacle and the output receptacle, the detector being configured to detect characteristic information associated with a currency bill and characteristic information associated with a redeemable document, the evaluating unit being configured to distinguish currency bills from redeemable documents and to distinguish valid redeemable documents from invalid redeemable documents; and
- a controller coupled to the evaluation unit, the controller controlling the operation of the transport mechanism and the operation of the evaluation unit.

90-111. (Cancelled)

REMARKS

Claims 1-7 and 11-89 are pending in the patent application. Claims 7, 13, 14, 16, 21, 30-32, 34, 37, 41-48, 57, 58, 60-64, 66, 67, 71-78, 81-86, and 88 remain withdrawn. Claim 1 has been amended. Claims 1-6, 11, 12, 15, 17-20, 22-29, 33, 35, 36, 38-40, 49-56, 59, 65, 68-70, 79, 80, 87, and 89 were rejected in the Final Office Action mailed on December 18, 2008.

35 U.S.C. § 112 Rejection

Claims 1-7 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Office Action asserts: "It is not clear whether the return receptacle is 'configured' to return substitute funds. The return receptacle does not effect 'returning' substitute funds, but instead only recites a receptacle that holds a stack of mixed currency and currency substitutes [sic]." (Office Action, p.2, ll. 12-14.) Without addressing the merits of the Office Action's assertion, claim 1 has been amended to expedite allowance of claim 1. In particular, claim 1 now recites "a return receptacle coupled to the processing module and configured to receive the processed substitute funds which are returned to the operator of the funds processing machine." Because claim 1 and its dependent claims 2-7 no longer recite that the return receptacle is "configured to return substitute funds," the rejection of the claims has been rendered moot and its withdrawal is respectfully requested.

Although the present Office Action has a Final status, Applicants respectfully submit that the amendment to claim 1 should be entered as the amendment 1) places the application either in condition for allowance or in better form for appeal; 2) raises no new issue of new matter; and 3) presents no new issues requiring further consideration or search. See *M.P.E.P.* § 714.12-13; 37 CFR 1.116.

35 U.S.C. § 103 Rejection

Claims 1, 5, 6, 11, 15, 17-20, 22-24, 33-36, 38-40, 49, 56, 59, 65, 68-70, 79, 80, 87 and 89 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,790,697 to Munro et al. ("Munro") in view of U.S. Patent No. 5,542,046 to Izawa et al. ("Izawa").

As pointed out in the Applicants' prior responses, one basic requirement for a *prima facie* case of obviousness under § 103(a) is that the prior art references must teach or suggest all of the claim limitations. See *M.P.E.P.* § 2143. Munro in view of Izawa does not satisfy this test, because the applied references fail to disclose an input receptacle that receives a stack of a mixed combination of both currency bills and documents of another type, as recited by independent claims 1, 11, 56, 79, 87, and 89. Accordingly, the Office Action fails to establish a *prima facie* case of obviousness, and the rejection must be withdrawn.

In particular, independent claim 1 recites "an input receptacle configured to receive a stack of a mixed combination of currency bills and substitute funds."

Independent claim 11 recites "an input receptacle configured to receive a stack of a mixed combination of currency bills and substitute currency media."

Independent claim 56 recites "an input receptacle configured to receive a stack of documents, the documents including a mixed combination of currency bills and barcoded media."

Independent claim 79 recites "an input receptacle configured to receive a stack of documents including a mixed combination of currency bills of mixed denominations and barcoded media."

Independent claim 87 recites "an input receptacle configured to receive a stack of documents including a mixed combination of currency bills and substitute currency media, the substitute currency media being redeemable documents."

Independent claim 89 recites "an input receptacle for receiving a stack of a mixed combination of currency bills and redeemable documents."

The Office Action asserts that "Munro discloses a document processing apparatus (10) that processes stacks of currency placed in an input receptacle (12) in mixed denominations . . ." (Office Action, p. 3, ll. 9-11.) According to the Office Action's reading, Munro discloses an input receptacle receiving stacks of only currency bills and fails to teach or suggest an input receptacle that receives a mixed combination of *both* currency bills and documents of another type. Indeed, the Office Action, for example, concedes that "Munro does not expressly disclose . . . processing both barcoded documents as well as paper currency." (Office Action, p. 4, ll. 4-8.)

To cure the deficiency of Munro, the Office Action asserts that "Izawa discloses an evaluation unit having both a validator/discriminator (10) and a barcode reader (24, 25), in which the controller converts a signal generated by the barcode reader into a set of characters, for the

purpose of processing both barcoded documents as well as paper currency.” (Office Action, p. 3, ll. 5-8.) Izawa, however, fails to disclose an input receptacle that receives **a stack** of a mixed combination of barcoded documents and paper currency. Rather, Izawa teaches “a bill validator 10 and a stacker 11 mounted on the bill validator to [be] connected therewith by a passageway 13 to transport a bill to be inserted from an **inlet 12** to an outlet 14.” (Izawa, col. 3, ll. 56-59.) As shown in FIG. 1, the inlet 12 is merely a slot that cannot accommodate a stack of a mixed combination of barcoded documents and paper currency. Indeed, Izawa explains that “a bill,” *i.e.*, a **single** bill, rather than a stack of bills, is provided at the inlet 12. (Izawa, col. 3, ll. 58-59.)

Furthermore, referring to FIG. 4, Izawa states:

When the inserted bill is not genuine in Step 59 or when the bill is not any one of the predetermined money kinds in Step 61, the processing is moved to Step 73 wherein the CPU 40 drives the conveyor motor 42 in **the reverse direction**, and the bill is **returned to the inlet** [12].

(Izawa, col. 6, ll. 35-40, emphases added.) Thus, Izawa teaches that when a problem is detected with a bill, the bill is returned to the **inlet 12** where it was initially inserted. To enable the bill handling apparatus of Izawa to operate according to this teaching, the inlet 12 must remain open and available to receive a returned bill in case the bill validator 10 detects a problem with the bill. As such, no other bills, such as a stack of bills, can be positioned at the inlet 12 during processing, because these other bills would block a returned bill from passing through the inlet 12. Because a single bill, at most, can be provided at the inlet 12 when the bill handling apparatus is not still processing another bill, Izawa fails to even contemplate providing a stack of any combination of documents at the inlet 12.

Thus, like Munro, Izawa fails to teach or suggest a document processing apparatus having an input receptacle configured to receive a stack of a mixed combination of currency bills and documents of another type. Accordingly, the references fail to teach or suggest each and every element of the independent claims and thus cannot provide sufficient grounds for establishing a *prima facie* case of obviousness. Indeed, even assuming that the teachings of Munro and Izawa are combinable as suggested by the Office Action, the result of the combination would merely yield an apparatus that receives a stack of **currency bills** and **not a mixed combination of currency bills and documents of another type**, because the only stack of documents disclosed by either reference is the stack of currency bills taught by Munro.

Although Munro may disclose “an input receptacle or bill accepting station 12 where stacks of currency bills that need to be identified and counted are positioned” (Munro, col. 27, ll. 46-48), the apparatus of Munro cannot be combined with the teachings of Izawa to achieve the claimed invention, because the teachings of Izawa would prohibit the input receptacle from having a stack of bills that would prevent the validator from returning a bill to the input receptacle. Such a modification would change the principle of operation of Munro’s input receptacle. Conversely, the bill handling apparatus of Izawa cannot be modified to include an input receptacle having a stack of bills as taught by Munro, because the stack of bills would prevent a bill from being returned through the inlet 12 and would change the principle of operation of Izawa’s apparatus.

In addition, as Munro explains, “[i]n one embodiment, bills are scanned and identified at a rate in excess of 800 bills per minute.” (Munro, col. 27, ll. 54-56.) Employing the input receptacle 12 of Munro to receive stacks of currency bills is particularly appropriate for the automated embodiments of Munro which process bills at such a high rate. However, the bill handling apparatus of Izawa cannot process bills at a high rate, because it can only accommodate one bill at a time. If multiple bills were inserted through the inlet 12 to be in the passageway 13 at the same time, the apparatus would be unable to return a bill to the inlet 12 without interference from other bills in the passageway 13, and the movement of the conveyor means 16 in the reverse direction would interfere with the processing of the other bills. Thus, additional bills cannot be received by the passageway 13 until a preceding bill is completely processed and there is no chance that the bill will be returned. Moreover, the processing of each bill must be individually monitored in case a bill is returned to the inlet 12, so that a returned bill can be removed from the inlet 12 to allow other bills to be inserted into the inlet 12. Because Izawa employs an approach that accommodates one bill at a time and that may even require manual intervention, the apparatus of Munro cannot be combined with the teachings of Izawa without losing the ability to process bills at a high rate in an automated manner. Again, such a modification would change the principle of operation of Munro’s apparatus.

In general, because Munro and Izawa disclose extremely different approaches for processing bills, combining the teachings of Izawa and Munro as suggested in the Office Action would require the principle of operation of one of the references to be modified. As *M.P.E.P.* § 2143.01 VI. explains, “[i]f the proposed modification or combination of the prior art would change the principle

of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious.”

Additionally, the differing approaches of Izawa and Munro actually teach away from a combination of the references. Any evidence of teaching away also constitutes evidence of non-obviousness that must be considered. *In re Bell*, 991 F.2d 781, 26 USPQ2d 1529 (Fed. Cir. 1993); *Specialty Composites v. Cabot Corp.*, 845 F.2d 981, 6 USPQ2d 1601 (Fed. Cir. 1988); *In re Hedges*, 783 F.2d 1038, 228 USPQ 685 (Fed. Cir. 1986); *W. L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983); *In re Marshall*, 578 F.2d 301, 198 USPQ 344 (CCPA 1978).

Furthermore, as M.P.E.P. § 2143.02 I. explains, “[t]he prior art can be modified or combined to reject claims as *prima facie* obvious as long as there is a reasonable expectation of success.” In addition, M.P.E.P. § 2143.02 II. further provides that “at least some degree of predictability is required” and “evidence showing there was no reasonable expectation of success may support a conclusion of nonobviousness.” Applicants respectfully submit that the application of Munro and Izawa also fail to establish a *prima facie* case of obviousness, because there is no evidence that the results of combining Munro and Izawa would be sufficiently predictable to produce the inventions claimed by independent claims 1, 11, 56, 79, 87, and 89.

In view of the foregoing, Applicants respectfully submit that independent claims 1, 11, 56, 79, 87, and 89 are allowable over Munro and Izawa. In addition, dependent claims 5, 6, 15, 17-20, 22-24, 33-36, 38-40, 49, 59, 65, 68-70, and 80 are also allowable at least for the same reasons as base claims 1, 11, 56, and 79.

Double Patenting Rejections

A. Tests of Double Patenting

The Federal Circuit has defined the tests of double patenting as follows:

Is the same invention being claimed twice? If the answer to that is no, a second question must be asked: Does any claim in the application define merely an obvious variation of an invention claimed in the patent asserted as supporting double patenting? If the answer to that is no, *there is no double patenting*.

General Foods Corp. v. Studiengesellschaft Kohle mbH, 972 F.2d 1272, 1278, 23 U.S.P.Q.2d 1839 (Fed. Cir.), *reh'g, en banc, denied*, 1992 U.S. App. LEXIS 25713 (Fed. Cir. Oct. 5, 1992) (emphasis added); *In re Kaplan*, 789 F.2d 1574, 1579, 229 U.S.P.Q. 678 (Fed. Cir. 1986); *In re Longi*, 759 F.2d 887, 893, 225 U.S.P.Q. 645 (Fed. Cir. 1985) (“we must direct our inquiry to whether the claimed invention in the application for the second patent would have been obvious from the subject matter of the claims in the first patent, in light of the prior art”). The Federal Circuit further went on to explain the connection between obvious variation and patentable distinction stating “If the rejected claim defines *more* than an obvious variation, it is *patentably distinct*.” *General Foods*, 972 F.2d at 1278 (emphasis in original). Moreover, the Federal Circuit stated “beyond question ... the determining factor in deciding whether or not there is double patenting is the existence vel non of *patentable difference* between two sets of claims.” *General Foods*, 972 F.2d at 1278-79 (emphasis in original); *see also In re Sarett*, 327 F.2d 1005, 1012, 140 U.S.P.Q. 474 (C.C.P.A. 1964). Furthermore, “where the two inventions are *patentably distinct*, no disclaimer is called for.” *General Foods*, 972 F.2d at 1280.

B. Double Patenting Assessed Based on Claims

The law is clear that it is the *claims* that must be compared when assessing double patenting. *General Foods*, 972 F.2d at 1277 (“Double patenting is altogether a matter of what is claimed”); *In re Sarett*, 327 F.2d at 1007; *In re Allen*, 343 F.2d 482, 484, 145 U.S.P.Q. 147 (C.C.P.A. 1965). Furthermore, claims must be read as a whole taking into account every limitation. *General Foods*, 972 F.2d at 1278; *Id.* at 1281 (“the fundamental rule of claim construction, that what is claimed is *defined by the claim taken as a whole*, every claim limitation ... being material”) (emphasis in original). Furthermore, the focus is on what the claims *define*, not what they might teach. *In re Sarett*, 327 F.2d at 1013 (“We are not here concerned with what one skilled in the art would be aware from *reading* the claims but with *what inventions the claims define*”) (emphasis in original); *In re Sutherland*, 347 F.2d 1009, 1014, 146 U.S.P.Q. 485 (C.C.P.A. 1965) (“The ‘scope’ of the term ‘freezing’ in [the patent’s] claims is not what we are concerned with but rather, *what invention* his claims *define*”) (emphasis in original).

In this regard, it must be remembered that the disclosure of the prior patent is not prior art. *In re Baird*, 348 F.2d 974, 979, 146 U.S.P.Q. 579 (C.C.P.A. 1965) (“the patent disclosure is not

‘prior art’ and cannot be looked to for what it teaches”); *In re Sarett*, 327 F.2d at 1007. This includes the disclosure of the claims themselves. *In re Sutherland*, 347 F.2d at 1015; *General Foods*, 972 F.2d at 1281. Accordingly, the patent’s specification “may be looked to to find out what the terms of the claims *mean* but that is all.” *In re Baird*, 348 F.2d at 979-80; *In re Kaplan*, 789 F.2d at 1577 (“We reverse the board’s double patenting rejection essentially for two reasons: ... (2) it has used the disclosure of appellants’ joint invention in the Kaplan patent specification as though it were prior art, which it is not, to support the obviousness aspect of the rejection”).

C. Obviousness-Type Double Patenting Rejections [1] – [6]

Claims 1-6, 11, 12, 15, 17-20, 22-29, 33, 35, 36, 38-40, 49-56, 59, 65, 68-70, 79, 80, 87, and 89 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-73 of U.S. Patent No. 6,880,692 [1], claims 1-78 of U.S. Patent No. 6,913,130 [2], claims 1-91 of U.S. Patent No. 6,959,800 [3], claims 1-31 of U.S. Patent No. 6,955,253 [4], or claims 1-26 of U.S. Patent No. 6,868,954 [5] in view of Izawa. In addition, claims 1-6, 11, 12, 15, 17-20, 22-29, 33, 35, 36, 38-40, 49-56, 59, 65, 68-70, 79, 80, 87, and 89 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 7-29, 78-89, and 146-149 of copending Application No. 09/684,103 [6] in view of Izawa. Applicants respectfully traverse these rejections and respectfully request the withdrawal of such rejections because the claims of each of the cited patents/application have elements that are not present in any of the rejected claims of the present application and/or vice versa. Applicants maintain their arguments to these rejections which were presented in the Amendment in Response to Final Office Action, filed on June 18, 2007, and the Amendment in Response to Office Action, filed on January 29, 2008 (resubmitted September 26, 2008), the contents of which are incorporated herein by reference. In particular, the arguments present differences between the elements of the present claims and the cited claims.

The Office Action also concedes that “not all of the claims may have recited a ‘barcode reader’ that reads substitute currency.” (Office Action, p. 8, ll. 16-17; p. 10, ll. 8-9.) However, to cure the deficiencies in U.S. Patent No.’s 6,880,692, 6,913,130, 6,959,800, 6,955,253, and 6,868,954 and Application No. 09/684,103, the Office Action applies Izawa as a secondary reference. In particular, similar to the rejection under § 103(a), the Office Action asserts that “[a]t

the time of the invention, it would have been obvious to one of ordinary skill in the art to have incorporated a barcode reader in the currency processing device of [the cited patents and the copending application] for the purpose of handling barcoded documents placed in the same stack of documents as paper currency.” (Office Action, p. 10, ll. 1-4; p. 11, ll. 15-18.) However, this argument misses the mark. The issue is whether the pending claims *claim* inventions which are obvious variant of *what is claimed* in another patent. As described in the prior responses, such is not the case.

Furthermore, as described previously, the barcode reader of Izawa is not combinable with a device that receives a stack of currency bills via an input receptacle. The apparatus of Izawa employs an inlet that is merely a slot and that cannot accommodate a stack of a mixed combination of barcoded documents and paper currency. In addition, no other bills, such as a stack of bills, can be positioned at the inlet 12 during processing, because Izawa teaches that when a problem is detected with a bill, the bill is returned to the inlet 12 where it was initially inserted. Thus, additional bills cannot be received by the apparatus of Izawa until a preceding bill is completely processed and there is no chance that the bill will be returned. Moreover, the processing of each bill must be individually monitored in case a bill is returned to the inlet 12, so that a returned bill can be removed from the inlet 12 to allow other bills to be inserted into the inlet 12. Because Izawa employs an approach that accommodates one bill at a time and that may even require manual intervention, Izawa teaches away from the use of “an input receptacle configured to receive a stack of a mixed combination of currency bills and substitute funds” as recited in independent claim 1, “an input receptacle configured to receive a stack of a mixed combination of currency bills and substitute currency media” as recited in independent claim 11, “an input receptacle configured to receive a stack of documents, the documents including a mixed combination of currency bills and barcoded media” as recited in independent claim 56, “an input receptacle configured to receive a stack of documents including a mixed combination of currency bills of mixed denominations and barcoded media” as recited in independent claim 79, “an input receptacle configured to receive a stack of documents including a mixed combination of currency bills and substitute currency media” as recited in independent claim 87, and “an input receptacle for receiving a stack of a mixed combination of currency bills and redeemable documents” as recited in independent claim 89. Accordingly, independent claims 1, 11, 56, 79, 87, and 89 are patentably distinct. In addition,

dependent claims 5, 6, 15, 17-20, 22-24, 33-36, 38-40, 49, 59, 65, 68-70, and 80 are also distinguishable at least for the same reasons as their corresponding independent claims.

Furthermore, there is no teaching or other evidence that the apparatus of Izawa could operate at a high rate of speed in the systems recited in claim 5 and 6 or the apparatus of claims 23-24. Therefore, it would not have been obvious to modify U.S. Patent No.'s 6,880,692, 6,913,130, 6,959,800, 6,955,253, and 6,868,954 and Application No. 09/684,103 with the teachings of Izawa.

D. Obviousness-Type Double Patenting Rejections [7] – [11]

Claims 1-6, 11, 12, 15, 17-20, 22-29, 33, 35, 36, 38-40, 49-56, 59, 65, 68-70, 79, 80, 87, and 89 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 5, 13, 25, 26, 37, and 49 of U.S. Patent No. 7,103,438 [7]; claims 1 and 6 of U.S. Patent No. 7,201,320 [8]; claims 1-69 of U.S. Patent No. 6,843,418 [9], claims 1-24 of U.S. Patent No. 7,146,245 [10] or claims 14, 19, 20, 31, and 41-47 of U.S. Patent No. 7,016,767 [11].

With respect to U.S. Patent No.'s 7,103,438; 6,843,418; 7,146,245; and 7,016,767, Applicant respectfully traverses these rejections and requests reconsideration of the rejections in view of the amendments and remarks presented herein including those made above with respect to Obviousness-Type Double Patenting Rejections [1] – [6]. Applicants maintain their arguments to these rejections which were presented in the Amendment in Response to Office Action, filed on January 29, 2008 (resubmitted September 26, 2008), the contents of which are incorporated herein by reference.

[7] Turning to U.S. Patent No. 7,103,438, claims 1, 5, 13, 25, 26, 37, and 49 of U.S. Patent No. 7,103,438 differ from the rejected claims of the present application. To begin with, claims 1 and 5 of this patent are method claims; and thus, the rejection is improper given the finding that the method claims of the present application are patentably distinct from the rejected apparatus/system claims as described in Applicants' prior responses. Furthermore, independent claim 1 of U.S. Patent No. 7,103,438 recites patentably distinct element(s) that are not recited in the presently rejected claims such as:

accepting as an input at least one specific document-identifier to be searched; ...
determining whether a detected document-identifier matches the at least one specific document-identifier; and

directing the substitute currency medium that bears the specific document-identifier, such substitute currency medium being termed a specific document, to at least one output receptacle based on the act of determining.

Independent claim 13 of U.S. Patent No. 7,103,438 recites patentably distinct element(s) that are not recited in the presently rejected claims such as:

the controller including a memory, the memory storing instructions that determine whether a detected document-identifier matches a specific document-identifier received as an input by said controller.

Finally, the last independent of U.S. Patent No. 7,103,438 cited is independent claim 37 which recites patentably distinct element(s) that are not recited in the presently rejected claims such as:

the controller including a memory that stores a stack-identifier assigned to said first stack of documents, the memory including the document-identifier of each of the documents comprising the first stack of documents, each document-identifier being correlated with a respective stack-identifier, the memory further including instructions for determining whether a specific document-identifier inputted into said controller is located within said first stack of documents.

Additionally, the rejected claims of the present application also have patentably distinct element(s) that are not present in the cited claims of U.S. Patent No. 7,103,438. For example, independent claim 1 recites, *inter alia*:

an input receptacle configured to receive a stack of a mixed combination of currency bills and substitute funds;
a processing module coupled to the input receptacle and configured to receive the currency bills and substitute funds from the stack in the input receptacle and to process the currency bills and substitute funds, the processing module being configured to distinguish currency bills from substitute funds and valid substitute funds from invalid substitute funds

Likewise, independent claim 11 recites, *inter alia*:

an input receptacle configured to receive a stack of a mixed combination of currency bills and substitute currency media;
at least one output receptacle configured to receive currency bills and substitute currency media after the currency bills and substitute currency media have been evaluated;
a transport mechanism configured to transport the currency bills and substitute currency media, one at a time, from the stack in the input receptacle to the at least one output receptacle along a transport path;
an evaluation unit comprising at least one currency detector disposed along the transport path between the input receptacle and the output receptacle, the at least one currency detector being capable of evaluating currency bills,

... the evaluating unit being configured to distinguish currency bills from substitute currency media

Likewise, independent claim 56 recites, *inter alia*:

- an input receptacle configured to receive a stack of documents, the documents including a mixed combination of currency bills and barcoded media; ...
- an evaluation unit including a first sensor disposed along the transport path between the input receptacle and the output receptacle, the first sensor being configured to detect at least one characteristic of a currency bill,

Likewise, independent claim 79 recites, *inter alia*:

- an input receptacle configured to receive a stack of documents including a mixed combination of currency bills of mixed denominations and barcoded media; ...
- a transport mechanism configured to transport the currency bills and barcoded media, one at a time, from the stack in the input receptacle to one of the plurality of output receptacles;
- an evaluation unit disposed along the transport path between the input receptacle and the plurality of output receptacles, the evaluation unit comprising at least one currency sensor ... positioned adjacent the transport path, the at least one currency sensor being configured to obtain denomination characteristic information of a first currency bill,...
- a controller coupled to the evaluation unit, the controller being programmable for directing currency bills having a first denomination to a specified first output receptacle of the plurality of output receptacles, ... and
- a memory electrically coupled to the controller, the memory being configured to store the denominations of the currency bills

Independent claim 87 recites, *inter alia*:

- an input receptacle configured to receive a stack of documents including a mixed combination of currency bills and substitute currency media, ...
- an evaluation unit comprising a first scanner disposed along the transport path between the input receptacle and the output receptacle, the first scanner being capable of scanning for at least one characteristic associated with a currency bill, ... the evaluating unit being configured to distinguish currency bills from substitute currency media and to distinguish valid substitute currency media from invalid substitute currency media;

And finally, independent claim 89 recites, *inter alia*:

- an input receptacle for receiving a stack of a mixed combination of currency bills and redeemable documents;

- a plurality of output receptacles for receiving currency bills and redeemable documents after the currency bills and the redeemable documents have been evaluated;
- a transport mechanism for transporting the currency bills and redeemable documents, one at a time, from the stack in the input receptacle to selected ones of the plurality of output receptacles along a transport path;
- an evaluation unit comprising a detector disposed along the transport path between the input receptacle and the output receptacle, the detector being configured to detect characteristic information associated with a currency bill and characteristic information associated with a redeemable document, the evaluating unit being configured to distinguish currency bills from redeemable documents and to distinguish valid redeemable documents from invalid redeemable documents....

[8] Turning to U.S. Patent No. 7,201,320, claims 1 and 6 of U.S. Patent No. 7,201,320 differ from the rejected claims of the present application. Claim 6 is dependent on claim 1. Independent claim 1 of U.S. Patent No. 7,201,320 recites patentably distinct element(s) that are not recited in the presently rejected claims such as:

- at least one imager for capturing an image of at least a portion of the substitute currency media and the currency bills, wherein the imager creates an image file from the captured image; and
- a controller for controlling the at least one media detector, currency detector and imager, wherein the controller further receives the image file and processes the image file for storage.

[9] Turning to U.S. Patent No. 6,843,418, claims 1-69 of U.S. Patent No. 6,843,418 differ from the rejected claims of the present application. To begin with, claims 51-69 of this patent are method claims; and thus, the rejection is improper given the finding that the method claims of the present application are patentably distinct from the rejected apparatus/system claims as described in Applicants' prior responses.

Additionally, as an example, independent claim 1 of U.S. Patent No. 6,843,418 recites patentably distinct element(s) that are not recited in the presently rejected claims such as:

- at least one of the substitute currency media having at least a first barcode pattern and a second barcode pattern disposed thereon; ...
- an evaluation unit comprising ... a first media detector ... being capable of detecting the first barcode pattern and the second barcode pattern

As an additional example independent claim 24 of U.S. Patent No. 6,843,418 recites patentably distinct element(s) that are not recited in the presently rejected claims such as:

at least one of the substitute currency media including at least a first barcode pattern representative of a ticket number and a second barcode pattern representative of a value ...;

an evaluation unit comprising ... a first media detector ... being capable of detecting the first barcode pattern and the second barcode pattern; ...

a communications port coupled to the controller, the communications port being adapted to transmit at least one of the ticket number associated with the first barcode pattern and the value associated with the second barcode pattern.

As an additional example independent claim 27 of U.S. Patent No. 6,843,418 recites patentably distinct element(s) that are not recited in the presently rejected claims such as:

each of the substitute currency media including at least a first barcode pattern encoding a number and a second barcode pattern encoding a value associated with the number; ...

an evaluation unit comprising at least one detector ... capable of ... decoding the number encoded in the first barcode pattern and the value encoded in the second barcode pattern on each of the substitute currency media, one of the substitute currency media on which a number and a value are decoded being termed a valid substitute currency medium, and a controller ... including a memory, the memory being adapted to store the number and the value of each valid substitute currency medium decoded by the detector.

As an additional example independent claim 47 of U.S. Patent No. 6,843,418 recites patentably distinct element(s) that are not recited in the presently rejected claims such as:

47. A document processing device in a system having a plurality of machines adapted to accept documents, the plurality of machines being coupled to an accounting system, the document processing device comprising: ... each of the substitute currency media including at least a first barcode pattern encoding a number and a second barcode pattern encoding a value; ...

an evaluation unit comprising at least one detector ... capable of ... decoding the number encoded in the first barcode pattern and the value encoded in the second barcode pattern on each of the substitute currency media, and a controller ... being adapted to store the number and the value of each substitute currency medium to a file.

[10] Turning to U.S. Patent No. 7,146,245, claims 1-24 of U.S. Patent No. 7,146,245 differ from the rejected claims of the present application. To begin with, claims 1-24 of this patent are method claims; and thus, the rejection is improper given the finding that the method claims of the present application are patentably distinct from the rejected apparatus/system claims as described in Applicants' prior responses. Additionally, as an example independent claim 1 of U.S. Patent No. 7,146,245 recites patentably distinct element(s) that are not recited in the presently rejected claims such as:

1. A method of processing at least two batches of documents, comprising the acts of:
 - receiving the at least two batches of documents;
 - entering into memory of a document processing device source identification information for the at least two batches in a sequence;
 - loading the at least two batches into the document processing device for multiple batch processing in a sequence consistent with the sequence in which the source identification information was entered into memory;
 - after entering the source identification information for the at least two batches into memory, begin transporting the batches in a sequence consistent with the sequence in which the source identification information was entered into memory, one document at a time, through the document processing device to obtain characteristic information from the documents in the at least two batches, pausing the transport between each batch;
 - determining the batch information for each of the at least two batches based on the obtained characteristic information; and
 - matching on a sequential basis the batch information for each of the at least two batches with the source identification information for each of the at least two batches.

[11] Turning to U.S. Patent No. 7,016,767, claims 14, 19, 20, 31, and 41-47 of U.S. Patent No. 7,016,767 differ from the rejected claims of the present application. To begin with, claims 14, 19, 20, and 31 of this patent are method claims; and thus, the rejection is improper given the finding that the method claims of the present application are patentably distinct from the rejected apparatus/system claims as described in Applicants' prior responses.

Additionally, as an example, independent claim 14 of U.S. Patent No. 7,016,767 recites patentably distinct element(s) that are not recited in the presently rejected claims such as:

14. A method of processing at least two batches of documents, comprising the acts of:
 - loading the at least two batches into a document processing device for multiple batch processing;

starting transportation of the batches in a sequence, ...
after the act of determining batch information for each of the at least two batches, entering source identification for each batch into memory in a sequence consistent with the sequence in which the at least two batches were transported through the document processing device; and
matching on a sequential basis the batch information for each of the at least two batches with the source identification information for each of the at least two batches.

As another example, independent claim 41 of U.S. Patent No. 7,016,767 recites patentably distinct element(s) that are not recited in the presently rejected claims such as:

41. A document processing device for multiple batch processing comprising:
an input receptacle adapted to hold at least two batches of documents; ...
memory coupled to the evaluation unit adapted to store batch document information for each of the at least two batches based on processing the documents, and being adapted to store source identification information for each of the at least two batches;
a bar code gun coupled to the memory for entering the source identification information into memory; and
a controller coupled to the memory and comprising programming for:
allowing the source identification information for the at least two batches to be entered into memory before the at least two batches are transported past the evaluation unit, and sequentially stepping through the source identification information stored in memory to match batch document information with source identification information.

Accordingly, Applicants respectfully request that the double patenting rejections be withdrawn.

Conclusion

The Applicants submit that the claims are in a condition for allowance and action toward that end is earnestly solicited. No fees are believed due with this paper. Should any additional fees be required (except for payment of the issue fee), the Commissioner is authorized to deduct the fees from Nixon Peabody Deposit Account No. 50-4181, Order No. 247171-000305USP1. Should there be any remaining matters, Applicants invite the Examiner to call the attorney below so that such matters may be resolved expeditiously.

Dated: February 18, 2009

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